

## REMARKS

In the present application, claims 1-23 are pending. Claims 1-23 are rejected. Claims 1 and 13 have been amended. Claims 10 and 22 have been canceled. Claims 24-28 have been added. No new matter has been added. As a result of this response, claims 1-9, 11-21, and 23-28 are believed to be in condition for allowance.

### Specification

The Examiner requested correction of the abstract so as to be properly formatted. Applicants have herein amended the abstract so as to be properly formatted.

### Claim Rejections – 35 USC § 102

The Examiner rejected claims 1-2, 4-5, 9-14, 16-17 and 21-23 as being anticipated by Brennan et al. (5,329,578). Specifically, with respect to claim 1, the Examiner asserted that Brennan et al. teaches a “user-specifiable means for defining at least one filter for filtering incoming calls”, “the user specifies a profile”, “the user has the option of modifying parameters of the specified profile”, “the system includes means for guiding the user through a setup sequence”, and “the telephone system includes means for applying the user-specified profiles”.

With respect to claim 10, the Examiner asserted that “Brennan et al. teaches the telephone system for connecting callers and users according to claim 1, in which the system identifies the location of the user (see Figs. 3a-3e; and col. 13, lns 4-56 in combination with Tables 1-5)”.

Claim 1 is amended herein to recite the element of claim 10 noted above as well as to note that the telephone system includes a means for “modifying the user-specified profile based upon a location of the user,” Support for the last element may be found in the specification at least at page 10, third full paragraph. Applicants respectfully submit that Brennan et al. does not teach that the system modifies the profile based upon a location of the user. Claim 1, as amended, reads as follows:

1. A telephone system for connecting callers and users, comprising: user-specifiable means for defining at least one filter for filtering incoming calls and taking user-definable responses on incoming calls that satisfy the requirements of said at least one filter, in which:
  - the user specifies a profile;
  - the user has the option of modifying parameters of the specified profile, including specifying at least one filter in the profile and specifying user-specifiable parameters thereof,
  - the telephone system includes means for guiding the user through a setup sequence;
  - and
  - the telephone system includes means for applying the user-specified profile and **for modifying the user-specified profile based upon a location of the user.** (emphasis added)

The Examiner cites Figs. 3a-3e, col. 13, lines 4-56, and Tables 1-5 as support for Brennan et al. teaching that “the system identifies the location of the user”. In fact, Brennan et al. teaches no such thing at the specified location. At col. 13, lines 45-48, Brennan et al. plainly states “FIGS. 3b to 3e show a number of possible parameters **that the subscriber can change from his or her profile. In FIG. 3b, the location where the subscriber can be reached is changed.**” (emphasis added). All of Figs. 3a-3e make clear, in instances where a location parameter is changed, that it is in response to a user’s actions. It is noted that Brennan et al. does recite at col. 8, lines 63-65 that “PCS confirm[s] that the subscriber is at the location before connecting the call.”

In contrast, claim 1 recites a telephone system wherein “the telephone system includes means for applying the user-specified profile and for modifying the user-specified profile based upon a location of the user.” Brennan et al. neither teaches nor suggests this element of claim 1. Applicants therefore traverse the rejection of claim 1. As all of claims 2, 4-9, and 9, 11, and 12 depend upon claim 1, they are likewise in condition for allowance. Claim 13 has been similarly amended to recite “where the instructions further operate to modify the profile based upon a location of the user” as well as to read more clearly. As a result, claim 13 is likewise in condition for

allowance. As claims 14, 16, 17, 21, and 23 depend upon claim 13, they are likewise in condition for allowance.

### **Claim Rejections – 35 USC § 103**

The Examiner rejected claims 3, 6-8, 15, and 18-20 as being unpatentable over Brennan et al. in view of Shaffer et al. (6,600,817). Specifically, the Examiner asserted that “Brennan fails to teach the limitations of claims 3, 6-8, 15 and 18-20. However, Shaffer teaches the recited limitations substantially as claimed . . .”.

Neither Brennan et al. nor Shaffer, taken alone or in combination, such a combination neither suggested nor deemed appropriate, teach or suggest a telephone system “wherein the telephone system modifies the profile based upon a location of the user” as recited in independent claim 1 and 13.

Furthermore, with respect to claim 7, neither Shaffer nor Brennan et al. teach or suggest that the “system identifies the time zone of the location of the user and automatically applies a profile if the time zone of the user corresponds to the time zone in the profile” as recited in claim 7. Rather, at the Examiner’s citations, Shaffer teaches ,generally, using a time zone in which a user is defined to be to filter incoming calls. There is no mention of the system identifying the location of the user as recited in claim 7.

Therefore, for the reasons discussed above, claims 1 and 13 are in condition for allowance. As a result, as claims 3, 6-8, 15, and 18-20 depend upon claims 1 and 13, they are likewise in condition for allowance.

### **Amendment**

New claims 24-28 are added herein. Independent claim 24 is directed to a program of machine readable instructions for defining at least one filter, guiding a user through a sequence whereby the user specifies a profile including at least one filter and a parameter thereof, enabling the user to modify one of the parameters, and automatically modifying the profile based upon a location of the user. Independent claim 26 is directed to an apparatus having a processor for coupling to a user of a wireless communication system to guide the user through a sequence to specify at least one profile comprising at least one filter to be

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applied to an incoming call to the user, and to automatically modify a specified profile in accordance with a location of the user. For the reasons discussed above, claims 24 and 26 are believed to be patentable. No new matter has been added. Likewise, claims 25, 27, and 28, depending upon claims 24 and 26, are believed to be patentable.

Respectfully submitted:

  
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